



Dispute Resolution Process

Passed 3 October 2018

Background

OMSA encourages dispute resolution to occur between the involved parties directly however if this proves inadequate we will resolve disputes under the following framework. There will be no fee to begin a grievance issues but fees will apply if the complainant wishes to appeal the Grievance Committee decision. The decision of the Appeal Committee will be considered final.

Confidentiality is paramount during this process. Steps should be taken to limit identification of involved parties and information related to conflict should be discussed only among pertinent involved parties.

Process

Anyone experiencing conflict regarding participation in Olds Minor softball **must** wait 24 hours before undertaking any discussion about the conflict unless there is child safety involved. This time period is to provide reflection and encourage responding rather than reacting to conflict.

Anyone (may or may not be members of OMSA) wishing to begin a Dispute Resolution Process will contact:

- 1) Unless a conflict of interest exists, discuss the conflict with the relevant team Manager. If conflict of interest exists or if they are unable to resolve the conflict proceed to 2
- 2) Unless a conflict of interest exists, discuss the conflict with the relevant team coach. If a conflict of interest exists or if the coach is unable to resolve the conflict then proceed to 3.
- 3) Unless a conflict of interest exists, discuss the conflict with the Age Level Coordinator. If a conflict of interest exists, the conflict may then be brought to the Grievance

Committee, which will undertake the initial **Inquiry Phase** normally done by the Age Level Coordinator.

Unresolved conflicts reaching the Age Level Coordinator should be made in writing to begin an **Inquiry Phase**. The letter should outline the nature of the dispute, the involved parties and cite relevant OMSA policies. The role of the Inquiry Phase will be to provide unbiased negotiation between the involved parties to see if a solution to the dispute can be found. This may involve education or clarification of OMSA policies, fact finding and sharing of possible extenuating circumstances. The negotiation can occur in person, via telephone or by means of electronic communication. The negotiation may occur directly between the involved parties with the Age Level Coordinator present or with the Age Level Coordinator acting as an intermediary in order to preserve confidentiality.

The responsibilities of the individual(s) undertaking the Inquiry Phase include:

- 1) opening a Grievance File within the OMSA Google Drive
- 2) recording all correspondence and relevant information in the Grievance File
- 3) use of the Grievance Worksheet to present information clearly
- 4) attempt to resolve the conflict between the involved parties. If the conflict remains unresolved, refer the matter to the Grievance Committee. If the conflict is successfully resolved a detailed written report using the Grievance Worksheet as a framework will be provided to the OMSA Board for review. If accepted by the OMSA Board, the written report will be provided to the involved parties to sign.

If the Age Level Coordinator is unable to help the parties find a solution, they will refer the matter to the OMSA Grievance Committee for a **Formal Dispute Resolution Process**.

The OMSA Grievance Committee will be formed annually by volunteer commitment from OMSA members and their term duration will be 12 months since disputes may arise both in an out of traditional softball season.

- 1) The board shall appoint a primary and secondary chairperson, who will become the contact people for grievances and communication to the OMSA Board. The purpose of two chairpersons is to ensure availability of at least one at all times given individual's busy schedules and potential for unexpected circumstances limiting time or availability.
- 2) Members of the grievance committee shall thoroughly review all OMSA policies and procedures for awareness and to identify any lack of clarity in those policies and procedures prior to any grievance being received for the term. The Grievance Committee can seek clarification of policies & procedures from the OMSA Board.

If the conflict has been referred to the Grievance Committee without the Age Level Coordinator having undertaken the Inquiry Phase due to a conflict of interest, a Grievance Committee Chairperson will designate a member of the committee to undertake the initial Inquiry Phase before proceeding to a formal conflict resolution phase.

Upon receiving a **Formal Conflict Resolution** request, the chairperson will:

- 1) Collect any relevant information and documentation from the Age Level Coordinator and/or the Grievance File
- 2) Notify a minimum of four other members of the Grievance Committee that their services are required. These individuals are the **Formal Conflict Resolution Sub Committee**. These individuals should not have any conflict of interest regarding the conflict. All members of the Grievance Committee are not required to participate in every Formal Conflict Resolution as they may be utilized for an Appeals Committee.
- 3) Provide the individuals involved in the conflict with an anticipated timeline for completion of the Formal Conflict Resolution (2-10 days is suggested but subject to individual circumstances).
- 4) Advise the individuals involved in the conflict regarding acceptable modes of communication, information for same (email addresses, home phone number, mobile phone number, etc) and response times to communication (24 hours is suggested).
- 5) Convene a meeting of the Formal Conflict Resolution Sub Committee to discuss the relevant information and issues to the dispute. The Committee is expected to utilize the completed Grievance Worksheet to ensure that the grievance has been investigated as thoroughly as possible. The members shall review previously proposed and new solutions. The members should discuss the conflict with the involved parties to directly validate information contained within the Grievance Worksheet.
- 6) The Formal Conflict Resolution Sub Committee shall create a solution which they feel represents the best interests of the involved parties and the OMSA in general.
- 7) The Formal Conflict Resolution Committee shall create a detailed written document, called the **Formal Conflict Resolution Report**, using the Grievance Worksheet as a framework and provide the report to the OMSA Board for review and, if necessary, consideration of discipline.

The Grievance Committee does not have authority to enforce any **disciplinary actions** (such as suspensions, removal from positions, referral of conduct to Child & Family Services or RCMP, etc) directly but shall provide the OMSA Board with recommendations. The OMSA Board will ultimately deliberate and enforce any disciplinary actions. If the OMSA Board feels disciplinary action is required, they will create a written report, the **Discipline Action Statement** which outlines relevant policy, the reasoning regarding suspension and the specific parameters of the discipline.

The OMSA Board will provide the Formal Conflict Resolution Report, the Discipline Action statement and information regarding appeal process, including specific date deadlines, to the involved parties.

A copy of these reports will also be placed within the OMSA Grievance File in Google Docs.

APPEAL PROCESS

Upon receipt of a Formal Conflict Resolution Report, individuals must wait 24 hours prior to initiating an appeal.

Individuals wishing to appeal the Formal Conflict Resolution Report and/or Discipline Action Statement shall notify the OMSA President in writing within seven days after the 24 hour waiting period and provide payment for the appeal process.

The President will convene an **Appeals Committee** comprised of five members of the Grievance Committee who did not participate on the original Formal Conflict Resolution Sub Committee and are free of conflict of interest with respect to the original grievance.

The Appeals Committee will conduct their own interviews with the involved parties and review all previous documentation related to the grievance contained within the Grievance File. The Appeals Committee shall discuss the situation and may opt to

- 1) uphold the Formal Conflict Resolution Report and/or Discipline Action Statement
- 2) Modify the Formal Conflict Resolution Report and/or Discipline Action Statement. The Appeals Committee may choose to increase or decrease the severity of disciplinary actions in its modifications.

The Appeals Committee shall provide a detailed written report, called the **Appeal Report**, to the OMSA Board for review. After review, the OMSA Board will provide the involved parties with the report and submit a copy to the Grievance File in OMSA's Google Docs.

The Appeals Committee decision will be final in the dispute resolution process.